IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1886 OF 2005

Shri.Ashok Raghunath Nalawade ...Applicant

Versus

The State of Maharashtra ...Respondent

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Mr.Umesh Mankapure i/b Mr.R.V.More for Applicant.

Mr.V.B.Konde-Deshmukh, A.P.P. for Respondent.

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CORAM: A.M.KHANWILKAR, J.

MARCH 28, 2005.

P.C.

1. Heard Counsel for the parties. Perused the record.

2. Having regard to the seriousness of the offence and material to indicate complicity of the Applicant, not a case for bail.

3. The complaint clearly spells out that Applicant had demanded sum of Rs.20,000/- (Rupees

Twenty Thousand) from the father of the deceased. The Applicant also reminded the mother of the deceased about the said amount when she had visited her house after Diwali. The incident in question has happened on 4th December 2004. It is also alleged that the deceased was tortured, as she was not able to conceive and give birth to child out of that wedlock.

4. Counsel for the Applicant, however, contends that on examining the inquest panchnama and the spot panchnama regarding the well, it is possible to suggest that the deceased must have had a fall and death was due to that accident and not a case of suicide. This submission is advanced on the basis of some scratch marks found on the back of the deceased in the inquest panchnama. However, this submission overlooks that there is nothing in the spot panchnama to suggest that the deceased must have slipped into the well accidentally. No marks of any person skidding has been noted in the spot panchnama.

5. Taking overall view of the matter, I see

no reason to depart from the conclusion reached by the Court below in rejecting the Bail Application preferred by the present Applicant. Hence, dismissed.

6. As prayer for bail is rejected, the Trial Court is directed to proceed with the trial of the case expeditiously as ‘High Court Expedited Case’.

7. Application disposed of on the above terms.

A.M.KHANWILKAR, J.